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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/831,139

06/21/2001

Friedrich Mueller

1998P04724

9013

24131 7590 07/13/2009  
LERNER GREENBERG STEMER LLP  
P O BOX 2480  
HOLLYWOOD, FL 33022-2480

EXAMINER

ABEBE, DANIEL DEMELASH

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

07/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* FRIEDRICH MUELLER

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Application 09/831,139  
Technology Center 2600

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Mailed: July 13, 2009

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 14, 2008. A review of the application has revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed November 19, 2007 is incomplete. The copy of the claims in the Claims Appendix should include all of the claims being appealed. The Claims Appendix in the present appealed application list only the independent claims (11 and 13). The Status of Claims on page 2 of the Brief states that "Claims 11-14 are rejected and under appeal." A copy of claims 11-14 should be included in the Brief's Claims Appendix. Correction is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) notify Appellants to file a paper providing a corrected Claims Appendix to the Brief that includes all of the claims involved in the appeal;
- 2) consider the corrected Claims Appendix; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/vh

LERNER GREENBERG STEMER LLP  
P O BOX 2480  
HOLLYWOOD FL 33022-2480